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UNITED STATES DEPARTMENT OF THE INTERIOR

OFFICE OF HEARINGS & APPEALS

HEARINGS DIVISION

EUREKA LIVESTOCK COMPANY)	
)	N6-95-02
Appellant,)	
)	Notice of Area Manager's
vs.)	Final Multiple Use
)	Decision, dated October
BUREAU OF LAND MANAGEMENT)	20, 1994, Battle Mountain
)	District, Nevada
Respondent)	

STIPULATION FOR DISMISSAL OF THE
EUREKA LIVESTOCK COMPANY APPEAL

The parties to this action hereby stipulate that the above captioned appeal may be dismissed on the following terms and conditions:

The Bureau will administer the Three-Bars Allotment in accordance with the Final Multiple Use Decision dated October 20, 1994, with the following modifications:

1. Active Preference will be 4,111 AUMs for cattle and 1,729 AUMs for sheep for a total of 5,840 AUMs.
2. The season of use for the Coils Pasture will be changed from 03/01 - 10/31 to 03/01 - 02/28.

If use is made in the Coils Pasture prior to June, 1 one year, that pasture shall not be authorized for grazing prior to June, 1 the following year. Spring and summer use will be limited to 50% utilization, fall and winter use will be limited to 60% utilization.

3. While livestock are in the Meadow and Cottonwood pastures, the permittee is required to move all livestock out of the riparian areas every three to five days in such a manner that it will take three to five days for all the livestock to drift back into the riparian areas. This Condition applies after the riparian areas have reached 50% utilization.
4. The Three-Bars Allotment will run on a deferred rotation grazing system as follows:

Year 1

<u>Pasture</u>	<u>Number</u>	<u>Kind</u>	<u>Period of Use</u>	<u>% Federal</u>	<u>AUMs</u>
Basin	470	C	03/01 - 05/31	100	1,422
Meadow	495	C	06/01 - 08/31	100	1,498
Cottonwood	494	C	09/01 - 10/31	100	991
Coils		C	03/01 - 02/28	100	200
Horse	470	C	REST	100	
			Total		4,111
Basin	1,086	S	04/01 - 05/31	100	436
Meadow	1,086	S	06/01 - 08/31	100	657
Cottonwood	1,086	S	09/01 - 10/31	100	436
Coils		S	03/01 - 02/28	100	200
Horse	1,086	S	REST	100	
			Total		1,729

Year 2

<u>Pasture</u>	<u>Number</u>	<u>Kind</u>	<u>Period of Use</u>	<u>% Federal</u>	<u>AUMs</u>
Basin	470	C	REST	100	
Meadow	494	C	09/01 - 10/31	100	991
Cottonwood	495	C	06/01 - 08/31	100	1,498
Horse	470	C	03/01 - 05/31	100	1,422
Coils		C	03/01 - 02/28	100	200
			Total		4,111
Basin	1,086	S	REST	100	
Meadow	1,086	S	09/01 - 10/31	100	436
Cottonwood	1,086	S	06/01 - 08/31	100	657
Horse	1,086	S	04/01 - 05/31	100	436
Coils		S	03/01 - 02/28	100	200
			Total		1,729

The sheep will follow the same deferred rotation grazing system as the cattle. If problems arise with the cattle and sheep being in the same pasture the sheep will be allowed to rotate to the next available pasture fifteen days ahead of the cattle.

5. The pasture fence between Horse and Coils pastures will not be constructed. The Bureau of Land Management will provide the permittee with a detailed map locating sage grouse strutting and nesting areas. The permittee will keep all livestock away from sage grouse strutting and nesting areas in the Horse and Basin Pastures, in such a manner that it will take three to five days for all livestock to drift back into the sage grouse strutting and nesting areas.
6. When sheep use the Basin pasture, a five day trailing permit through the Horse Pasture will be allowed.

6. When key forage species utilization has reached Land Use Plan objectives in any given pasture the permittee will be required to move the livestock to the next available pasture.

March 5, 1997
Date

Bruce Hill
BRUCE HILL
Attorney for Respondent (BLM)

2-10-97
Date

Filbert Echeverry
~~JOHN R. REEDY~~
~~Attorney for Appellant~~
Eureka Livestock Company
Filbert Echeverry
owner

	ACT	INF	INT	DATE
US				2/18
HR	get	✓		Mar
HR	2/18/97			
Primary/foes (circle one)				